

**IN THE  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW  
YORK**



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**RAMIRO LOACHAMIN JARAMILLO**  
*Petitioner,*

**- v. -**

**ACTING DIRECTOR STEVE KURZDORFER, IN HIS  
OFFICIAL CAPACITY AS DIRECTOR OF BUFFALO  
FIELD OFFICE OF U.S IMMIGRATION AND CUSTOMS  
ENFORCEMENT, ASSISTANT DIRECTOR JOSEPH  
FREDEN, IN HIS OFFICIAL CAPACITY AS OFFICIAL  
IN CHARGE OF BUFFALO FEDERAL DETENTION  
FACILITY.**  
*Respondent.*

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**SUPPLEMENT EXHIBITS(A)&(B) TO PRO SE HABEAS  
PETITION OF REMOVAL CHALLENGE TO  
PROLONGED DETENTION.  
HABEAS CORPUS PURSUANT  
TO 28 U.S.C. § 2241**

**CASE# 25-CV-6124**

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**Ramiro Loachamin Jaramillo**

**A#: 036-438-940**

Buffalo Federal Detention Facility

4250 Federal Drive,

Batavia, New York 14020

**Case 25-cv-6124**

**CLERK OF THE COURT**

United States District Court

100 STATE STREET

ROCHESTER, NY 14614

**Re: Loachamin Jaramillo (Petitioner) v. ACTING DIRECTOR STEVE**

**KURZDORFERy (Respondents)**

**CASE 25-CV-6124**

**PETITIONER SUPPLEMENT EXHIBITS TO PRO SE HABEAS  
PETITION OF REMOVAL CHALLENGE TO PROLONGED  
DETENTION.**

United States District Judge: Hon. Meredith A. Vacca,  
Magistrate court:

I sincerely apologize for taking your time because there are some valid supporting documents proof of not a danger to society and a flight risk, that I didn't have at the moment to provide in my Habeas Petition to the U.S District Court of Western NY, is why I am sending this supplement with two **Exhibits (A)** letter from my Assistant Federal Public Defender Gabrielle DiBella from the Office of the Federal Public Defender for the Northern District of New York, to the Hon. Glenn T. Suddaby U.S District Judge for the Northern District of New York. talks about my Cooperation with DHS while out for almost three years on Federal Probation. **Exhibit (B)** Criminal Docket text from Northern District of New York case: 8:24-cv-00978-GTS, by Senior Judge Norman A. Mordue on 09/28/2022 **docket text # 63** Granting Petitioner a travel request from NY to Chicago,Il on 10/16/2022 and

return on 10/21/2022 for a job training conference, also on 12/22/2020 **docket text order #67** Senior Judge Norman A. Mordue granted petitioner permission to travel from NY to Florida for a family wedding on 01/16/2023 return to NY 01/23/2023 with Federal Probation approval, returned without any incidents.

I am writing this exhibit letter support of my Habeas proof of not being a danger to society and a flight risk.

Petitioner thanks this Honorable court for it's consideration.

*I affirm, under penalty of perjury, that I am the petitioner, I have read this petition and the information in this petition, under the laws of the United States of America that the foregoing is true and correct pursuant to 28 U.S.C. § 1746*

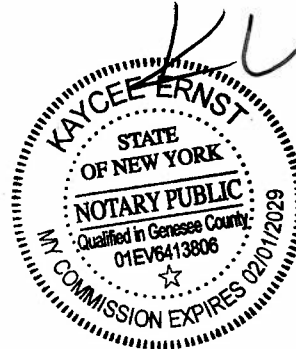
DATED: 4 / 3 / 2025

Batavia, NY

Respectfully Submitted,

Ramiro Loachamin Jaramillo

Ramiro Loachamin Jaramillo  
A#036-438-940  
Bufallo Federal Detention Facility  
4250 Federal dr  
Batavia, N.Y 14020



04/03/2025

I, hereby certify that on April 3rd, 2025, I caused to be served a true copy of the

**PETITIONER SUPPLEMENT EXHIBITS TO PRO SE HABEAS  
PETITION OF REMOVAL CHALLENGE TO PROLONGED  
DETENTION.**

X By sending via USPS First Class mail to: CLERK of the court  
3 copies of the above documents was addressed and mailed to

**UNITED STATES DISTRICT  
U.S. Courthouse  
100 STATE STREET  
ROCHESTER, NY 14614**

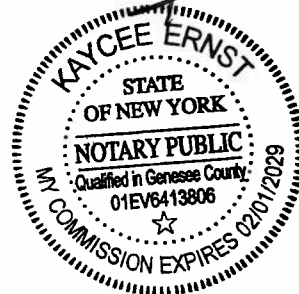
I certify under the penalty of perjury that the foregoing is true and correct  
pursuant to 28 U.S.C. § 2241.

Dated: 4/3/2025

Respectfully Submitted,

/s/ Ramiro Loachamin Jaramillo

Ramiro Loachamin Jaramillo  
A#036-438-940  
Bufallo Federal Detention Facility  
4250 Federal dr  
Batavia, N.Y 14020



***EX. A***

OFFICE OF THE FEDERAL PUBLIC DEFENDER  
FOR THE NORTHERN DISTRICT OF NEW YORK

Syracuse Office

4 Clinton Square  
3<sup>RD</sup> FLOOR  
SYRACUSE, NY 13202  
(315) 701-0080  
(315) 701-0081 FAX



Albany Office

54 State St.  
3<sup>RD</sup> FLOOR  
ALBANY, NY 12207  
(518) 436-1850  
(518) 436-1780 FAX

August 4, 2023

Hon. Glenn T. Suddaby  
United States District Judge  
James M. Hanley Federal Building  
100 S. Clinton Street  
Syracuse, NY 13202

**RE: United States v. Ramiro Loachamin**  
**Case No.: 20-CR-46 (GTS)**

[REDACTED]

Dear Judge Suddaby:

As you are aware, on November 19, 2020, Ramiro Loachamin entered a guilty plea to both counts contained in the indictment, and is scheduled to be sentenced on August 8, 2023. I am submitting this confidential submission in accordance with the local rules and in further support of a motion for downward departure of his sentence as requested in our sentencing memorandum. We ask this Court to consider Ramiro's cooperation with law enforcement in the hopes this Court will depart five (5) levels. We further ask this Court to sentence Ramiro to time-served. At the time of his sentencing, he will have served 14 months and 16 days, and is facing potential immigration proceedings at the conclusion of this case.

**Summary of cooperation**

Ramiro met and proffered with law enforcement agents and discussed in detail his involvement in the current offense, and the involvement of others. He provided names, phone numbers, and specific information about crimes being committed by other individuals he knew. As it related alien smuggling, he told agents about specific farms that he knew were involved, and provided detailed information about two other people involved. Specifically, he told agents that a man named Jose used to work on a farm in Malone, and he was helping people cross the border illegally from Canada. Another man named Miguel was doing the same thing. Ramiro explained that Jose had contacted him the night before the offense, and told him that he had 3 guys up at the border, and that something had happened, and one guy took off. He asked Ramiro

to pick the straggler up, to which Ramiro eventually agreed. Ramiro also provided information about individuals also incarcerated in the Clinton County Jail who were known to be involved in alien smuggling. He provided information about a man named Vladimir who was a coyote, and had recently crossed a polish man. Another man named Malik had crossed several people with the last name Patel. Ramiro told agents that Malin owns a limo company in New Jersey, and is involved with both crossing people and picking them up.

Ramiro showed agents the contact information he had for Miguel and Jose in his phone, using WhatsApp. He provided specific location details for farms involved. He further provided a phone number for a woman who he knew to produce fake documents, and a phone number for a woman who lives in Lowville and routinely picks people up at the border.

The agents expressed interest in the individuals who were producing fraudulent documents. Ramiro worked with the agents to cooperate proactively against these individuals. In doing so, he met with agents to formulate a plan to conduct controlled phone calls to certain targets who were suspected to be involved in creating fraudulent immigration documents, and eventually made the controlled calls. During the controlled calls he arranged to purchase fraudulent documents. He successfully purchased both a fraudulent driver's license and fraudulent legal permanent resident card from a target. He provided substantial assistance to law enforcement in their investigation of these individuals, and provided meaningful information which was able to be corroborated through his actions. He remains willing to cooperate if needed, and to testify if needed.

#### **Cooperating implicated his safety**

Ramiro cooperated proactively while out of custody. He contacted people that he knew, and engaged them in conversations related to their criminal activity. He routinely had contact with individuals who were engaged in criminal activity, and used his own name and information to communicate with them. Doing so implicated his safety because these individuals were being investigated, and Ramiro was on the front-lines helping the investigation into people that he himself knew.

#### **Substantial assistance**

Throughout the course of his cooperation, Ramiro has remained willing to provide information, to cooperate proactively, and to testify as needed. He has remained in contact with defense counsel about information he can provide, how he can cooperate proactively, and he has truthfully provided this information to law enforcement. Ramiro has provided substantial assistance to the government in the investigation of individuals known to law enforcement. He participated in proffers, cooperated proactively, and remained willing to provide whatever assistance was necessary. He provided truthful information which was found to be credible. The information he provided was used to investigate several other individuals. Ramiro provided a wealth of information about alien smuggling near the border and gave an enormous amount of details including the specific locations of farms involved, the names and contact information of others involved, and the names of the coyotes used to cross the people. He further provided significant information about individuals producing fraudulent documents, and cooperated



proactively against these individuals. He was successful in purchasing fraudulent documents on behalf of law enforcement.

Ramiro was truthful, forthcoming, and candid about his own involvement and the involvement of others. He did not attempt to protect anyone, nor did he minimize his own behavior. We ask that the Court consider Ramiro's cooperation as a mitigating factor in determining his sentence and imposing a sentence beneath the guideline range and statutory mandatory minimums. See U.S.S.G. §5K1.1 (commentary) and 18 U.S.C. §3553(e). We submit that a departure of five (5) levels is appropriate given the importance of the information he provided, the usefulness of his proactive cooperation, his role in the investigation of others, and his commitment to helping the government in their investigations into multiple other individuals.

Ramiro's offense level is 10, which when paired with his criminal history category III results in a guideline range of imprisonment of 10-16 months. However, because Ramiro is facing a 36-month mandatory minimum, his offense level becomes 17. A departure of five (5) levels would reduce his offense level to 12, which would result in a guideline range of imprisonment of 15-21 months. Ramiro has already served 14 months and 16 days.

Thank you for your consideration in this matter.

Respectfully,

OFFICE OF THE FEDERAL PUBLIC DEFENDER

By: s/Gabrielle DiBella  
Assistant Federal Public Defender

cc: AUSA Jeff Stitt, by email



***EX. B***

CLOSED

**U.S. District Court**  
**Northern District of New York – Main Office (Syracuse) [NextGen CM/ECF**  
**Release 1.8 (Revision 1.8.1)] (Plattsburgh)**  
**CRIMINAL DOCKET FOR CASE #: 8:20-cr-00046-GTS-1**  
**Internal Use Only**

Case title: USA v. Loachamin

Related Case: 8:24-cv-00978-GTS

Magistrate judge case number: 8:19-mj-00758-GLF

Date Filed: 02/05/2020

Date Terminated: 08/10/2023

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Assigned to: U.S. District Judge  
Glenn T Suddaby

**Defendant (1)**

**Ramiro Loachamin**  
**TERMINATED: 08/10/2023**

represented by **Ramiro Loachamin**  
00503-509  
Buffalo Federal Detention Facility  
4250 Federal Drive  
Batavia, NY 14020  
Email:  
PRO SE

**Gabrielle DiBella**  
Office of the Federal Public Defender – Syracuse  
Office  
Northern District of New York  
4 Clinton Square, 3rd Floor  
Syracuse, NY 13202  
315-701-0080  
Email: [gabrielle\\_dibella@fd.org](mailto:gabrielle_dibella@fd.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or Community  
Defender Appointment*  
*Bar Status: Active*  
*Fee Status: waived\_2023*

**Pending Counts**

8:1324.F-ALIEN SMUGGLING  
(1-2)

**Disposition**

The Defendant is sentenced on Counts 1 & 2 of the Indictment to a term of imprisonment of Time Served on each of Counts 1 and 2 (the defendant was previously in custody for 14 months, 16 days post arrest) for a total term of imprisonment of Time Served and a term of supervised release of 1 year on each of Counts 1 and 2, to run concurrently, for a total term of supervised release of 1 year with standard and special conditions of supervision imposed. Special Assessment in the amount of \$200.00 imposed. The defendant does not have the ability to pay a fine or the additional special assessment.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts****Disposition**

None

**Highest Offense Level  
(Terminated)**

None

**Complaints****Disposition**8:1324.F-BRINGING IN AND  
HARBORING ALIENS**Plaintiff**

USA

represented by **Troy Anderson**

DOJ-USAO

14 Durkee St

Room 340

Plattsburgh, NY 12901

518-314-7806

Fax: 518-314-7811

Email: [troy.r.anderson@usdoj.gov](mailto:troy.r.anderson@usdoj.gov)**LEAD ATTORNEY****ATTORNEY TO BE NOTICED**

Designation: Assistant US Attorney

Bar Status: Active

Fee Status: waived\_2023

**Jeffrey C. Stitt**

Office of United States Attorney -

Plattsburgh

14 Durkee Street

Room 340

Plattsburgh, NY 12901

518-314-7812

Email: [jeffrey.stitt@usdoj.gov](mailto:jeffrey.stitt@usdoj.gov)**TERMINATED: 08/20/2024**

Designation: Assistant US Attorney

Bar Status: Active

Fee Status: waived\_2023

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Docket Text
11/19/2019	<u>1</u>	COMPLAINT as to Ramiro Loachamin (1). (ds, ) [8:19-mj-00758-GLF] (Entered: 11/19/2019)
11/19/2019		Text Minute Entry (FTR Recorded 8:20 a.m. - 8:26 am.) for proceeding held before Magistrate Judge Gary L. Favro: Initial Appearance as to Ramiro Loachamin held on November 19, 2019. APP: AUSA Jeffrey Stitt, for the Government, Spanish Interpreter Donna Komornicki, on standby if needed. Defendant advised of rights, maximum penalty stated and given copy of Criminal Complaint which was signed prior to coming on the record. Defendant questioned regarding finances and is found eligible for a court appointed attorney. Office of the Federal Public Defender is appointed. Defendant advised of right to a Preliminary Hearing. A Detention Hearing is scheduled for November 26, 2019 at 8:30 A.M. in Plattsburgh. Defendant REMANDED to custody of the U.S. Marshal. (ds, ) [8:19-mj-00758-GLF] (Entered: 11/19/2019)

11/19/2019	<u>2</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Ramiro Loachamin: Gabrielle DiBella appointed for Ramiro Loachamin. Signed by Magistrate Judge Gary L. Favro on 11/19/2019.(ds, ) [8:19-mj-00758-GLF] (Entered: 11/19/2019)
11/19/2019	<u>3</u>	ORDER OF DETENTION as to Ramiro Loachamin: Detention Hearing set for 11/26/2019 at 8:30 AM in Plattsburgh before Magistrate Judge Gary L. Favro. Signed by Magistrate Judge Gary L. Favro on 11/19/2019. (ds, ) [8:19-mj-00758-GLF] (Entered: 11/19/2019)
11/26/2019		Text Minute Entry (FTR Recorded 9:49 a.m.- 10:05 a.m.) for proceeding held before Magistrate Judge Gary L. Favro: Detention Hearing as to Ramiro Loachamin held on November 26, 2019. APP: AUSA Jeffrey Stitt, for the Government, AFPD Gabriella DiBella, attorney for defendant. Attorneys provided with copy of Pretrial Services Report. Government asks the court to imposed continued detention. Defense argues for release on conditions. Court orders defendant detained today and reserves the right for the defendant to reapply for release in the future. Defense waives the Preliminary Hearing. Defendant remanded to the custody of the U.S. Marshal pending trial. (ds, ) [8:19-mj-00758-GLF] (Entered: 11/26/2019)
11/26/2019	<u>4</u>	ORDER OF DETENTION PENDING TRIAL as to Ramiro Loachamin. Signed by Magistrate Judge Gary L. Favro on 11/26/2019. (ds, ) [8:19-mj-00758-GLF] (Entered: 11/26/2019)
12/02/2019	<u>5</u>	MOTION for Material Witness Warrant by USA as to Ramiro Loachamin. (Collyer, Douglas) [8:19-mj-00758-GLF] (Entered: 12/02/2019)
12/03/2019	<u>6</u>	ORDER granting <u>5</u> Motion for Material Witness Warrant for Jose Fredi Perez-Roman as to Ramiro Loachamin (1). Signed by Magistrate Judge Gary L. Favro on 12/3/2019.(ds, ) [8:19-mj-00758-GLF] (Entered: 12/03/2019)
12/05/2019	<u>8</u>	STIPULATION by USA to 60 day exclusion of time (Collyer, Douglas) [8:19-mj-00758-GLF] (Entered: 12/05/2019)
12/05/2019	<u>9</u>	ORDER TO CONTINUE – Ends of Justice as to Ramiro Loachamin: Time excluded from 12/5/2019 until 2/2/2020. Signed by Magistrate Judge Gary L. Favro on 12/5/2019. (ds, ) [8:19-mj-00758-GLF] (Entered: 12/05/2019)
12/05/2019	<u>10</u>	MOTION to Vacate <i>Material Witness Warrant</i> by USA as to Ramiro Loachamin. (Collyer, Douglas) [8:19-mj-00758-GLF] (Entered: 12/05/2019)
12/06/2019	<u>11</u>	ORDER granting <u>10</u> Motion to Vacate Material Witness Warrant for Jose Fredi Perez-Roman as to Ramiro Loachamin (1). Signed by Magistrate Judge Gary L. Favro on 12/6/2019.(ds, ) [8:19-mj-00758-GLF] (Entered: 12/06/2019)
02/05/2020	<u>12</u>	INDICTMENT as to Ramiro Loachamin (1) count(s) 1–2. (ds, ) (Entered: 02/05/2020)
02/05/2020		Minute Entry for proceedings held before Magistrate Judge Gary L. Favro: GRAND JURY makes a partial report and returns Indictment. Tally Sheet is ordered sealed. (Court Reporter FTR Recorded) (ds, ) (Entered: 02/05/2020)
02/05/2020	<u>13</u>	NOTICE TO DEFENDANT'S COUNSEL as to Ramiro Loachamin: An Indictment dated February 5, 2020 regarding your client has been filed with the Court. In the event the defendant wishes to waive appearance for an arraignment, both the defendant and defendant's counsel must complete and electronically file with the Court the attached form by February 19, 2020. If the court does not receive the form by the above date, the court will IMMEDIATELY schedule the arraignment of your client. Because of Speedy Trial issues, the court appearance for arraignment may be scheduled with very little advance notice. If you wish to schedule an Arraignment, please contact the Court. (ds, ) (Entered: 02/05/2020)
02/06/2020		Set Hearings as to Ramiro Loachamin: Arraignment and Reconsideration of Detention Hearing set for 2/11/2020 at 8:30 AM in Plattsburgh before Magistrate Judge Gary L. Favro. (ds, ) (Entered: 02/06/2020)
02/11/2020		Text Minute Entry (FTR Recorded 10:41 a.m. – 10:59 a.m.) for proceeding held before Magistrate Judge Gary L. Favro: Arraignment on Indictment Count 1–2 as to Ramiro Loachamin held February 11, 2020. APP: AUSA Jeffrey Stitt, for the Government, AFPD Courtenay McKeon for Gabrielle DiBella, attorney for defendant. Defendant advised of rights, maximum penalty stated and given copy of Indictment



		filed on February 5, 2020, Defense waives a formal reading of the Indictment and enters plea of not guilty to Counts 1-2 of the Indictment. Criminal Pretrial Scheduling Order issued. Reconsideration of Detention Hearing held. Government seeks continued detention. Defense argues for release on conditions. Court orders defendant on continued detention today and schedules another detention hearing for February 25, 2020 at 8:30 a.m. Court gives the Government the opportunity to respond to defense counsel regarding the standards. Court orders Government to provide information to Court and counsel by February 18, 2020 and Defense Counsel's response will be due by February 21, 2020. Court orders the Government to reach out to Probation for an update to the Pretrial Services Report as well as investigate the living and work circumstance of the defendant so the Court has something more relevant to work from. Detention hearing is continued to February 25, 2020 at 8:30 a.m. in Plattsburgh. Defendant remanded to the custody of the U.S. Marshal. (ds, ) (Entered: 02/11/2020)
02/11/2020	<u>14</u>	CRIMINAL PRETRIAL SCHEDULING ORDER as to Ramiro Loachamin: Motions to be filed by 3/10/2020. Jury Trial set for 4/13/2020 at 9:30 AM in Syracuse before Senior Judge Norman A. Mordue. Signed by Magistrate Judge Gary L. Favro on 2/11/2020. (ds, ) (Entered: 02/11/2020)
02/11/2020		Set Hearing as to Ramiro Loachamin: Detention Hearing set for 2/25/2020 at 8:30 AM in Plattsburgh before Magistrate Judge Gary L. Favro. (ds, ) (Entered: 02/14/2020)
02/18/2020	<u>15</u>	Letter from Government as to Ramiro Loachamin requesting Detention (Stitt, Jeffrey) (Entered: 02/18/2020)
02/21/2020	<u>16</u>	Letter as to Ramiro Loachamin requesting release (DiBella, Gabrielle) (Entered: 02/21/2020)
02/25/2020		Text Minute Entry (FTR Recorded 8:31 a.m. - 8:56 a.m.) for proceeding held before Magistrate Judge Gary L. Favro: Reconsideration of Detention Hearing as to Ramiro Loachamin held February 25, 2020. APP: AUSA Jeffrey Stitt, for the Government, AFD Courtenay McKeon, for Gabrielle DiBella, appearing via video from Binghamton, attorney for defendant. Attorneys provided with copy of Addendum to the Pretrial Services Report. Defense argues for release on conditions. Government seeks continued detention. Court finds that defendant is a serious risk of flight and orders defense counsel to gather further information from defendant's employer regarding status of defendant's job, if released. Court orders defendant detained. Continuation of the detention hearing is set for February 27, 2020 at 8:30 a.m. Defendant remanded to the custody of the U.S. Marshal. (ds, ) (Entered: 02/25/2020)
02/25/2020		Set Hearing as to Ramiro Loachamin: Reconsideration of Detention Hearing set for 2/27/2020 at 8:30 AM in Plattsburgh before Magistrate Judge Gary L. Favro. (ds, ) (Entered: 02/25/2020)
02/26/2020		Reset Hearings as to Ramiro Loachamin: At request of defense counsel, the Detention Hearing is reset for 3/10/2020 at 8:30 AM in Plattsburgh before Magistrate Judge Gary L. Favro. (ds, ) (Entered: 02/28/2020)
03/04/2020	<u>17</u>	STIPULATION by USA to 60 day exclusion of time (Stitt, Jeffrey) (Entered: 03/04/2020)
03/04/2020	<u>18</u>	ORDER TO CONTINUE - Ends of Justice as to Ramiro Loachamin: Time excluded from 3/4/2020 until 5/2/2020. Jury Trial set for 6/15/2020 at 09:30 AM in Syracuse before Senior Judge Norman A. Mordue. Motions to be filed by 5/18/2020. Pretrial submissions in accordance with Dkt. No. 14 due by 5/26/2020. Responses to motions in limine due by 6/2/2020. Signed by Senior Judge Norman A. Mordue on 3/4/2020. (rjb, ) (Entered: 03/04/2020)
03/09/2020	<u>19</u>	DEFT Ramiro Loachamin: CHARACTER LETTER(S) RE: SENTENCING (DiBella, Gabrielle) (Entered: 03/09/2020)
03/10/2020		Text Minute Entry (FTR Recorded 8:32 a.m. - 8:44 a.m.) for proceeding held before Magistrate Judge Gary L. Favro: Reconsideration of Detention Hearing as to Ramiro Loachamin held March 10, 2020. APP: AUSA Troy Anderson for Jeffrey Stitt, for the Government, AFD Gabrielle DiBella, appearing via video in Syracuse, attorney for defendant. Attorneys provided with copy of 2nd Addendum of the Pretrial Services Report. Government continues to seek detention. Defense argues for release on

		conditions. Court finds that for all the reasons stated previously on the record, the defendant is a risk of flight and danger to community and continues the defendant's detention. Defendant remanded to the custody of the U.S. Marshal. (ds, ) (Entered: 03/10/2020)
05/06/2020	<u>20</u>	STIPULATION by USA to ENLARGEMENT OF TIME (Stitt, Jeffrey) (Entered: 05/06/2020)
05/07/2020	<u>21</u>	TEXT ORDER TO CONTINUE – Ends of Justice as to Ramiro Loachamin: Time excluded from 4/30/2020 until 5/15/2020. Pursuant to General Order #58, revised by the Court on April 29, 2020, the time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act, as the court specifically finds that the ends of justice served by ordering the continuances outweigh the best interests of the public and each defendant in a speedy trial, pursuant to 18 U.S.C. §3161(h)(7)(A). Therefore, it is hereby ordered that the period from 4/30/2020 to and including 5/15/2020 shall be excludable in computing time under the Speedy Trial Act. SO ORDERED by Senior Judge Norman A. Mordue on 5/7/2020. (rjb, ) (Entered: 05/07/2020)
05/15/2020	<u>22</u>	ORDER TO CONTINUE – Ends of Justice as to Ramiro Loachamin: Time excluded from 5/15/2020 until 7/13/2020. Jury Trial set for 8/31/2020 at 09:30 AM in Syracuse before Senior Judge Norman A. Mordue. Motions to be filed by 8/3/2020. Pretrial submissions in accordance with Dkt. No. 14 due by 8/10/2020. Responses to motions in limine due by 8/17/2020. Signed by Senior Judge Norman A. Mordue on 5/15/2020. (rjb, ) (Entered: 05/15/2020)
07/14/2020	<u>23</u>	STIPULATION by USA to 30 day exclusion of time (Stitt, Jeffrey) (Entered: 07/14/2020)
07/15/2020	<u>24</u>	ORDER TO CONTINUE – Ends of Justice as to Ramiro Loachamin. Time excluded from 7/15/2020 until 8/13/2020. Jury Trial set for 9/21/2020 at 9:30 AM in Syracuse before Senior Judge Norman A. Mordue. Motions to be filed by 8/24/2020. Pretrial submissions in accordance with Dkt. No. 14 due by 8/31/2020. Responses to motions in limine due by 9/8/2020. Signed by Senior Judge Norman A. Mordue on 7/15/2020. (sal) (Entered: 07/15/2020)
08/13/2020	<u>25</u>	TEXT ORDER TO CONTINUE – Ends of Justice as to Ramiro Loachamin: Time excluded from 8/13/2020 until 10/12/2020. Pursuant to General Order #58, revised by the Court on April 29, 2020, May 13, 2020, June 12, 2020 and August 6, 2020, the time period of the continuances implemented by this General Order will be excluded under the Speedy Trial Act, as the court specifically finds that the ends of justice served by ordering the continuances outweigh the best interests of the public and each defendant in a speedy trial, pursuant to 18 U.S.C. §3161(h)(7)(A). Therefore, it is hereby ordered that the period from 8/13/2020 to and including 10/12/2020 shall be excludable in computing time under the Speedy Trial Act. SO ORDERED by Senior Judge Norman A. Mordue on 8/13/2020. (rjb, ) (Entered: 08/13/2020)
09/10/2020	<u>26</u>	TEXT ORDER as to Ramiro Loachamin adjourning the trial scheduled for 9/21/2020. SO ORDERED by Senior Judge Norman A. Mordue on 9/10/2020. (rjb, ) (Entered: 09/10/2020)
10/13/2020	<u>27</u>	STIPULATION by USA to EXCLUSION OF TIME (Stitt, Jeffrey) (Entered: 10/13/2020)
10/13/2020	<u>28</u>	ORDER TO CONTINUE – Ends of Justice as to Ramiro Loachamin: Time excluded from 10/13/2020 until 11/11/2020. Jury Trial set for 12/28/2020 at 09:30 AM in Syracuse before Senior Judge Norman A. Mordue. Motions to be filed by 11/30/2020. Pretrial submissions in accordance with Dkt. No. 14 due by 12/7/2020. Responses to motions in limine due by 12/14/2020. Signed by Senior Judge Norman A. Mordue on 10/13/2020. (rjb, ) (Entered: 10/13/2020)
10/22/2020		TEXT NOTICE OF HEARING as to Ramiro Loachamin: Change of Plea Hearing set for 11/19/2020 at 10:00 AM in Albany before Senior Judge Norman A. Mordue. (rjb, ) (Entered: 10/22/2020)
11/19/2020	<u>29</u>	PLEA AGREEMENT as to Ramiro Loachamin (jel, ) (Entered: 11/19/2020)



11/19/2020		Text Only Minute Entry for proceedings held before Senior Judge Norman A. Mordue: CRD: John Law. Change of Plea Hearing as to Ramiro Loachamin held on 11/19/2020. Appearances Made: Robert Sharpe, AUSA, for the USA and Gabriella DiBella, Esq., for defendant. Indictment is read by Deputy Clerk. Plea entered by Ramiro Loachamin (1) Guilty Count 1-2. Court accepts guilty plea and Plea Agreement is handed up for filing and accepted as to Ramiro Loachamin. Sentencing is scheduled for March 18, 2021 at 10:00 a.m. in Albany, New York. Presentence Report is ordered. Defendant is remanded to the custody of the U.S. Marshal. (Court Reporter Theresa Casal) Time: 10:00-10:33 A.M. (jel, ) (Entered: 11/19/2020)
11/19/2020	<u>30</u>	GUIDELINE ORDER as to Ramiro Loachamin: Sentencing set for 3/18/2021 at 10:00 AM in Albany before Senior Judge Norman A. Mordue. All sentencing memoranda, including any character letters, due by 2/25/2021. Signed by Senior Judge Norman A. Mordue on 11/19/2020. (rjb, ) (Entered: 11/19/2020)
12/23/2020	<u>31</u>	ORDER regarding obligations under Brady v. Maryland, 373 U.S. 83 (1963). Signed by Senior Judge Norman A. Mordue on 12/23/2020. (rjb, ) (Entered: 12/23/2020)
01/15/2021	<u>32</u>	Letter as to Ramiro Loachamin requesting release pending sentencing (DiBella, Gabrielle) (Entered: 01/15/2021)
01/19/2021	<u>33</u>	TEXT ORDER as to Ramiro Loachamin: The Government is directed to respond to Defendant's <u>32</u> request by 1/22/2021. SO ORDERED by Senior Judge Norman A. Mordue on 1/19/2021. (rjb, ) (Entered: 01/19/2021)
01/21/2021	<u>34</u>	Medical Records filed as to Ramiro Loachamin (DiBella, Gabrielle) (Entered: 01/21/2021)
01/22/2021	<u>35</u>	Response to defendant's <u>32</u> Letter requesting release pending sentencing by USA as to Ramiro Loachamin. (Stitt, Jeffrey) Modified on 1/25/2021 (jel, ). (Entered: 01/22/2021)
01/25/2021		CLERK'S CORRECTION OF DOCKET ENTRY - Corrected <u>35</u> filing to reflect as government's response to defendant's <u>32</u> letter request for release pending sentencing. (jel, ) (Entered: 01/25/2021)
01/28/2021		TEXT NOTICE OF HEARING as to Ramiro Loachamin: Detention Hearing set for 2/2/2021 at 11:00 AM, via video, before Senior Judge Norman A. Mordue. (rjb, ) (Entered: 01/28/2021)
02/01/2021	<u>36</u>	TEXT ORDER as to Ramiro Loachamin: The Court has reviewed and considered Defendant's <u>32</u> request for release pending sentencing and the Government's <u>35</u> response. After conferring with the Probation Department, and with no objections from the Government, the Defendant's <u>32</u> request is GRANTED and Defendant will be released, on conditions, pending sentencing in this matter. SO ORDERED by Senior Judge Norman A. Mordue on 2/1/2021. (rjb, ) (Entered: 02/01/2021)
02/01/2021	<u>37</u>	ORDER Setting Conditions of Release. Signed by Senior Judge Norman A. Mordue on 2/1/2021. (rjb, ) (Entered: 02/01/2021)
02/01/2021	<u>38</u>	TEXT ORDER as to Ramiro Loachamin: Pursuant to the Order of Release with Conditions <u>37</u> , the Detention Hearing scheduled for February 2, 2021 is cancelled. The Court further Orders Defendant to quarantine at home for 14 days or obtain a negative COVID-19 test result before reporting in-person to Probation. SO ORDERED by Senior Judge Norman A. Mordue on 2/1/2021. (rjb, ) (Entered: 02/01/2021)
02/04/2021		TEXT Minute Entry for proceedings held before Senior Judge Norman A. Mordue: Video Conference as to Ramiro Loachamin held on 2/4/2021. Appearances: Jeffrey Stitt, AUSA for the United States; Gabrielle DiBella, AFD for the Defendant; USPO Kendra Rennie; USPO Brad Hanley; USPO Michael Patnaude. Judge Mordue hears from counsel and probation on past criminal conduct of the Defendant that was brought to the Court's attention by Probation today and any impact it has on Defendant's release status. Probation will attempt to gather information requested by the Court, another conference will be scheduled once that has been done. Defendant is directed to find another residence to stay at pending a decision from the Court. (rjb, ) (Entered: 02/04/2021)



02/05/2021		TEXT Minute Entry for proceedings held before Senior Judge Norman A. Mordue: Video Conference as to Ramiro Loachamin held on 2/5/2021. Appearances: Jeffrey Stitt, AUSA for the United States; Gabrielle DiBella, AFPD for the Defendant; USPO Kendra Rennie; USPO Brad Hanley; USPO Michael Patnaude. Probation has followed up with Defendant's family and provided a report to the Court and counsel. Judge Mordue will continue Defendant on release with the conditions previously imposed. (rjb, ) (Entered: 02/05/2021)
02/24/2021	<u>39</u>	Letter from Jeffrey Stitt as to Ramiro Loachamin requesting 60-day adjournment of sentencing (Stitt, Jeffrey) (Entered: 02/24/2021)
02/24/2021	<u>40</u>	TEXT ORDER as to Ramiro Loachamin granting the <u>39</u> letter request. Sentencing rescheduled for 5/18/2021 at 10:00 AM in Albany before Senior Judge Norman A. Mordue. All sentencing memoranda, including any character letters, due by 4/27/2021. SO ORDERED by Senior Judge Norman A. Mordue on 2/24/2021. (rjb, ) (Entered: 02/24/2021)
03/15/2021	<u>41</u>	PRESENTENCE INVESTIGATION REPORT – INITIAL DISCLOSURE [LODGED] as to Ramiro Loachamin. The Presentence Investigation Report in this matter is now available for review. Any objections to the report shall be served on the Probation Office within 14 days of this notice, by mailing a hard copy to the Probation Officer. Please contact the probation officer who prepared the report if you have any questions. <b>[This document has been electronically lodged with the Court and is viewable by ONLY the attorney for the government, the attorney for the defendant, and the presiding judge. It is not a filed document, therefore is not available for public inspection. Any further distribution or dissemination is prohibited.]</b> (anp, ) (Entered: 03/15/2021)
03/17/2021	<u>42</u>	TEXT ORDER as to Ramiro Loachamin: Sentencing rescheduled for 6/25/2021 at 09:00 AM in Albany before Senior Judge Norman A. Mordue. All sentencing memoranda, including any character letters, due by 6/4/2021. SO ORDERED by Senior Judge Norman A. Mordue on 3/17/2021. (rjb, ) (Entered: 03/17/2021)
05/25/2021	<u>43</u>	PRESENTENCE INVESTIGATION REPORT – FINAL DISCLOSURE [LODGED] as to Ramiro Loachamin. The final version of the Presentence Investigation Report, including all revisions and the most recent Addendum is now available for review. This version of the report will be used by the Court at the time of sentencing. <b>[This document has been electronically lodged with the Court and is viewable by ONLY the attorney for the government, the attorney for the defendant, and the presiding judge. Any further distribution or dissemination is prohibited.]</b> (anp, ) (Entered: 05/25/2021)
05/28/2021	<u>44</u>	Letter from Jeffrey Stitt as to Ramiro Loachamin requesting 60-day adjournment of sentencing (Stitt, Jeffrey) (Entered: 05/28/2021)
05/28/2021	<u>45</u>	TEXT ORDER as to Ramiro Loachamin: granting the <u>44</u> Letter Request. Sentencing is reset for 8/27/2021 at 11:00 AM in Albany before Senior Judge Norman A. Mordue. All sentencing memoranda, including any character letters, are due by 8/6/2021. So Ordered by Senior Judge Norman A. Mordue on 5/28/2021. (nmk) (Entered: 05/28/2021)
06/03/2021	<u>46</u>	Letter as to Ramiro Loachamin requesting that the court remove the home confinement condition (DiBella, Gabrielle) (Entered: 06/03/2021)
06/09/2021	<u>47</u>	TEXT ORDER: The Court has reviewed Defendant's request to remove the condition of release requiring home confinement <u>46</u> . After consulting with the Government and Probation, who do not oppose the request, the Court hereby Orders the removal of the condition requiring home confinement as Defendant awaits sentencing. So Ordered by Senior Judge Norman A. Mordue on 6/9/2021. (nmk) (Entered: 06/09/2021)
08/03/2021	<u>48</u>	Letter from Jeffrey Stitt as to Ramiro Loachamin requesting 60-day adjournment of sentencing (Stitt, Jeffrey) (Entered: 08/03/2021)
08/06/2021	<u>49</u>	TEXT ORDER: granting <u>48</u> Letter Request as to Ramiro Loachamin. Sentencing is rescheduled for 10/29/2021 at 11:00 AM in Syracuse before Senior Judge Norman A. Mordue. All sentencing memoranda, including any character letters, are due by 10/8/2021. So Ordered by Senior Judge Norman A. Mordue on 8/6/2021. (nmk) (Entered: 08/06/2021)



10/05/2021	<u>50</u>	Letter from Jeffrey Stitt as to Ramiro Loachamin requesting 60-day adjournment of sentencing (Stitt, Jeffrey) (Entered: 10/05/2021)
10/06/2021	51	TEXT ORDER: granting <u>50</u> Letter Request. All sentencing memoranda, including any character letters, are due by 12/7/2021. Sentencing is reset for 12/28/2021 at 10:00 AM in Syracuse. Signed by Senior Judge Norman A. Mordue on 10/6/2021. (nmk) (Entered: 10/06/2021)
12/16/2021	<u>52</u>	Letter from Jeffrey Stitt as to Ramiro Loachamin requesting 60-day adjournment of sentencing (Stitt, Jeffrey) (Entered: 12/16/2021)
12/17/2021	53	TEXT ORDER as to Ramiro Loachamin: Granting the <u>52</u> Letter Request for an adjournment. Sentencing reset for 3/1/2022 at 11:00 AM in Syracuse before Senior Judge Norman A. Mordue. All sentencing memoranda, including any character letters, are due by 2/8/2022. SO ORDERED by Senior Judge Norman A. Mordue on December 17, 2021. (rep) (Entered: 12/17/2021)
02/07/2022	<u>54</u>	Letter from Jeffrey Stitt as to Ramiro Loachamin requesting 60-day adjournment of sentencing (Stitt, Jeffrey) (Entered: 02/07/2022)
02/14/2022	55	TEXT ORDER: Granting the <u>54</u> Letter Request. All sentencing memoranda, including any character letters, are due by 4/11/2022. Sentencing is reset for 5/2/2022 at 10:30 AM in Syracuse before Senior Judge Norman A. Mordue. SO ORDERED by Senior Judge Norman A. Mordue on February 14, 2022. (rep) (Entered: 02/14/2022)
04/11/2022	<u>56</u>	Letter from Jeffrey Stitt as to Ramiro Loachamin requesting 60-day adjournment of sentencing (Stitt, Jeffrey) (Entered: 04/11/2022)
04/12/2022	57	TEXT ORDER: Granting the <u>56</u> Letter request to adjourn sentencing. Sentencing as to Ramiro Loachamin is now reset for 7/6/2022 at 10:30 AM in Syracuse before Senior Judge Norman A. Mordue. All sentencing memoranda, including any character letters, are due by 6/15/2022. SO ORDERED by Senior Judge Norman A. Mordue on April 12, 2022. (rep) (Entered: 04/12/2022)
06/15/2022	<u>58</u>	Letter from Jeffrey Stitt as to Ramiro Loachamin requesting 60-day adjournment of sentencing (Stitt, Jeffrey) (Entered: 06/15/2022)
06/16/2022	59	TEXT ORDER: Granting the <u>58</u> Letter requesting a 60-day adjournment of sentencing. Sentencing as to Ramiro Loachamin is reset for 9/6/2022 at 10:00 AM in Syracuse before Senior Judge Norman A. Mordue. Sentencing memorandums are due by 8/16/2022. SO ORDERED by Senior Judge Norman A. Mordue on June 16, 2022.(rep) (Entered: 06/16/2022)
08/16/2022	<u>60</u>	Letter from Jeffrey Stitt as to Ramiro Loachamin requesting 60-day adjournment of sentencing (Stitt, Jeffrey) (Entered: 08/16/2022)
08/18/2022	61	TEXT ORDER: Granting the <u>60</u> Letter request adjourning sentencing as to Ramiro Loachamin. Sentencing is reset for 11/4/2022 at 11:00 AM in Syracuse before Senior Judge Norman A. Mordue. Sentencing memoranda are due by 10/14/2022. SO ORDERED by Senior Judge Norman A. Mordue on August 18, 2022.(rep) (Entered: 08/18/2022)
09/26/2022	<u>62</u>	Letter as to Ramiro Loachamin requesting permission to leave the district (DiBella, Gabrielle) (Entered: 09/26/2022)
09/28/2022	63	TEXT ORDER: Granting Ramiro Loachamin's travel request <u>62</u> . Ramiro Loachamin is permitted to travel to Chicago, IL on October 16, 2022 and return to Albany on October 21, 2022. Permission to travel may be revoked at any time for failure to comply with any terms and conditions of release. The defendant shall submit his travel plan to his United States Probation Officer and shall report immediately to his officer upon his return. Failure to comply with this directive may result in the denial of any further travel. SO ORDERED by Senior Judge Norman A. Mordue on September 28, 2022.(rep) (Entered: 09/28/2022)
10/13/2022	<u>64</u>	Letter from Jeffrey Stit as to Ramiro Loachamin requesting 60-day adjournment of sentencing (Stitt, Jeffrey) (Entered: 10/13/2022)
10/17/2022	65	TEXT ORDER: Granting the <u>64</u> Letter as to Ramiro Loachamin requesting a 60-day adjournment of sentencing. Sentencing is reset for 1/13/2023 at 11:00 AM in Syracuse

		before Senior Judge Norman A. Mordue. Sentencing Memoranda are to be filed by 12/23/2022. SO ORDERED by Senior Judge Norman A. Mordue on October 17, 2022.(rep) (Entered: 10/17/2022)
12/15/2022	<u>66</u>	Letter as to Ramiro Loachamin requesting permission to leave the district (DiBella, Gabrielle) (Entered: 12/15/2022)
12/22/2022	<u>67</u>	TEXT ORDER: Granting Ramiro Loachamin's travel request <u>66</u> . Ramiro Loachamin is permitted to travel to Florida on January 16, 2023 and return to Albany on January 23, 2023. Permission to travel may be revoked at any time for failure to comply with any terms and conditions of release. The defendant shall submit his travel plan to his United States Probation Officer and shall report immediately to his officer upon his return. Failure to comply with this directive may result in the denial of any further travel. Furthermore, due to a conflict with the Court's calendar, sentencing in this matter is rescheduled for February 23, 2023 at 10:30AM. Sentencing Memoranda is to be filed by February 2, 2023. SO ORDERED by Senior Judge Norman A. Mordue on December 22, 2022.(rep) (Entered: 12/22/2022)
01/04/2023	<u>68</u>	ORDER REASSIGNING CASE as to Ramiro Loachamin Senior Judge Norman A. Mordue no longer assigned to case. Case reassigned to District Judge Glenn T. Suddaby for all further proceedings. Signed by Chief Judge Brenda K. Sannes on 1/4/2023. (jdp ) Modified on 1/6/2023 to correctly reflect this case is reassigned to GTS and not BKS. (sal). (Entered: 01/05/2023)
01/06/2023	<u>69</u>	TEXT NOTICE: The Clerk incorrectly reassigned to this case to Chief Judge Brenda K. Sannes when in fact this case is reassigned to District Judge Glenn T. Suddaby pursuant to the Reassignment Order filed on 01/04/2023. See Dkt. No. 68. CRD for District Judge Suddaby has modified the docket sheet to correctly reflect this. (sal ) (Entered: 01/06/2023)
01/12/2023		TEXT NOTICE OF HEARING as to Ramiro Loachamin: This case has been recently reassigned to District Judge Glenn T. Suddaby. The Sentencing set for 2/23/2023 is RESCHEDULED for 5/4/2023 at 11:30 AM in Albany before U.S. District Judge Glenn T. Suddaby. The Sentencing Memo Deadline is reset to 4/13/2023. (sal) (Entered: 01/12/2023)
04/12/2023	<u>70</u>	Letter from Jeffrey Stitt as to Ramiro Loachamin requesting 60-day exclusion of time (Stitt, Jeffrey) (Entered: 04/12/2023)
04/17/2023	<u>71</u>	TEXT ORDER granting the Government's <u>70</u> letter requesting an adjournment of sentencing as to Ramiro Loachamin. The Sentencing set for 5/4/2023 is RESCHEDULED for 8/10/2023 at 12:30 PM in Albany before U.S. District Judge Glenn T. Suddaby. This is a FINAL ADJOURNMENT of this hearing. Sentencing memo deadline is reset to 7/20/2023. SO ORDERED by U.S. District Judge Glenn T. Suddaby on 4/17/2023.(sal) (Entered: 04/17/2023)
07/18/2023		TEXT NOTICE OF HEARING as to Ramiro Loachamin: Due to a conflict with Judge Suddaby's schedule, the Sentencing set for 8/10/2023 is RESCHEDULED for 8/8/2023 at 9:30 AM in Albany before U.S. District Judge Glenn T. Suddaby. Sentencing memos remain due to be filed by 7/20/2023. (sal) (Entered: 07/18/2023)
07/20/2023		Reset Deadlines as to Ramiro Loachamin: Sentencing Memo Deadline is reset to 7/24/2023. (sal) (Entered: 07/20/2023)
07/24/2023	<u>72</u>	First SENTENCING MEMORANDUM by USA as to Ramiro Loachamin (Stitt, Jeffrey) (Entered: 07/24/2023)
07/24/2023	<u>73</u>	SENTENCING MEMORANDUM by Ramiro Loachamin (DiBella, Gabrielle) (Entered: 07/24/2023)
08/08/2023		Text Only Minute Entry for proceedings held before U.S. District Judge Glenn T. Suddaby: CRD: John Law. Sentencing held on 8/8/2023 for Ramiro Loachamin (1). Appearances Made: Jeffrey Stitt, AUSA, for the USA, Jeremy Sporn, Esq., for defendant and Craig Penet for Probation. Judge inquires regarding review of presentence report and objections. The Court adopts the factual information and the guideline applications contained in the Presentence Investigation Report. Count(s) 1-2, Defendant is sentenced to a term of imprisonment of time served on each of Counts 1 and 2 to run concurrently for a total term of imprisonment of time served.



		Supervised Release for a term of 1 year imposed on each of Counts 1 and 2 to run concurrently for a total term of 1 year. Standard and special conditions of supervision imposed. Special Assessment in the amount of \$200.00 imposed. No fine imposed. Parties advised of appeal rights. (Court Reporter Lisa Tennyson) Time: 9:34-9:48 A.M. (jel, ) Modified on 8/9/2023 (jel, ). (Entered: 08/08/2023)
08/09/2023		CLERK'S CORRECTION OF DOCKET ENTRY – Text Minute Entry re Sentencing to correct text to reflect that special assessment imposed was \$200.00 imposed and not \$100.00 imposed. (jel, ) (Entered: 08/09/2023)
08/09/2023	<u>74</u>	JUDGMENT as to Ramiro Loachamin. The Defendant is sentenced on Counts 1 & 2 of the Indictment to a term of imprisonment of Time Served on each of Counts 1 and 2 (the defendant was previously in custody for 14 months, 16 days post arrest) for a total term of imprisonment of Time Served and a term of supervised release of 1 year on each of Counts 1 and 2, to run concurrently, for a total term of supervised release of 1 year with standard and special conditions of supervision imposed. Special Assessment in the amount of \$200.00 imposed. The defendant does not have the ability to pay a fine or the additional special assessment. Signed by U.S. District Judge Glenn T Suddaby on 8/9/2023. (sal ) (Entered: 08/10/2023)
08/10/2023	<u>75</u>	STATEMENT OF REASONS [LODGED] as to Ramiro Loachamin [This document has been electronically lodged with the Court and is viewable by ONLY the attorney for the government, the attorney for the defendant, and the presiding judge. It is not a filed document, therefore is not available for public inspection. Any further distribution or dissemination is prohibited.] (see) (Entered: 08/10/2023)
08/08/2024	<u>76</u>	MOTION to Vacate under 28 U.S.C. 2255 by Ramiro Loachamin. Response to Motion due by 8/29/2024. Reply to Response to Motion due by 9/5/2024. (mmg). Civil case 8:24-cv-00978-GTS opened. (Entered: 08/08/2024)
08/20/2024	<u>77</u>	NOTICE OF ATTORNEY APPEARANCE: Troy Anderson appearing for USA as Substituted Counsel Attorney Jeffrey Stitt (Anderson, Troy) (Entered: 08/20/2024)
08/28/2024	<u>78</u>	Letter from Government as to Ramiro Loachamin Extension of Time to Respond to Defendant's Motion to Vacate (Anderson, Troy) (Entered: 08/28/2024)
08/28/2024	<u>79</u>	Letter from Government as to Ramiro Loachamin requesting Motion and Order to Communicate with Counsel for the Defendant Regarding Defendant's Pro Se Motion (Attachments: # <u>1</u> Exhibit(s) Proposed Order) (Anderson, Troy) (Entered: 08/28/2024)
09/18/2024	<u>80</u>	ORDER as to Ramiro Loachamin : Upon consideration of the Government's request for an order (1) finding that the defendant has waived the attorney-client privilege as to the ineffective assistance of counsel claims raised in his motion to vacate his sentencing and (2) authorizing his former attorney to produce documents and to submit an affidavit and testify in order to address said ineffective assistance claims, it is hereby ORDERED that the attorney-client privilege as it applies to Gabrielle DiBella, Esq. in relation to the ineffective assistance of counsel claims raised by the defendant in his motion to vacate his sentence, Dkt. No. <u>76</u> , is waived; and it is further ORDERED that Gabrielle DiBella, Esq., is authorized to discuss with the government the claims of ineffective assistance that the defendant raised in his motion to set aside his sentence, to retrieve and provide government counsel with copies of the portions of the files that address or relate to the allegations of ineffectiveness made by the defendant, to provide an affidavit to the government, and to provide testimony at an evidentiary hearing in this matter should such a hearing be ordered by this Court. Signed by U.S. District Judge Glenn T Suddaby on 9/18/2024. (Served Defendant by regular mail) (sal ) (Entered: 09/18/2024)
09/18/2024	<u>81</u>	TEXT ORDER as to Ramiro Loachamin : The Government's response to Defendant's <u>76</u> Motion to Vacate is due to be filed on or before 10/18/2024. Any reply to this motion is due to be filed on or before 10/25/2024. SO ORDERED by U.S. District Judge Glenn T Suddaby on 9/18/2024. (Copy served upon Defendant via regular mail) (sal) (Entered: 09/18/2024)
09/30/2024	<u>82</u>	MOTION to Appoint Counsel by Ramiro Loachamin: (mmg). (Entered: 09/30/2024)

09/30/2024	<u>83</u>	MOTION to Proceed In Forma Pauperis by Ramiro Loachamin. Motion returnable before Judge Glenn T. Suddaby. (Attachments: # <u>1</u> Envelope)(mmg). (Entered: 09/30/2024)
10/18/2024	<u>84</u>	Letter from Government as to Ramiro Loachamin requesting Additional Time to File Opposition to Defendant's Ineffective Assistance of Counsel Claims (Anderson, Troy) (Entered: 10/18/2024)
10/18/2024	<u>85</u>	Letter from Government as to Ramiro Loachamin requesting Request for Modification of Order Allowing Prior Counsel to Discuss Privileged Information Relevant to Defendant's Ineffective Assistance of Counsel Claims (Attachments: # <u>1</u> Proposed Order/Judgment)(Anderson, Troy) (Entered: 10/18/2024)
11/12/2024	<u>86</u>	MODIFIED ORDER granting <u>85</u> letter motion as to Ramiro Loachamin as follows: Upon consideration of the Government request for an order (1) finding that the defendant has waived the attorney-client privilege as to the ineffective assistance of counsel claims raised in his motion to vacate his sentencing and (2) authorizing his former attorney, Gabrielle DiBellato produce documents and to submit an affidavit and testify in order to address said ineffective assistance claims, including any relevant information gathered in conversations with Attorney Lauren Parnes or Attorney Jim Milstein or other counsel representing the defendant, it is hereby ORDERED that the attorney-client privilege as it applies to Gabrielle DiBella, Esq. in relation to the ineffective assistance of counsel claims raised by the defendant in his motion to vacate his sentence, Dkt. No. <u>76</u> , is waived; and it is further ORDERED that Gabriella DiBella, Esq., is authorized to discuss with the government the claims of ineffective assistance that the defendant raised in his motion to set aside his sentence, to retrieve and provide government counsel with copies of the portions of the files that address or relate to the allegations of ineffectiveness made by the defendant, including any relevant information gathered in conversations with Attorney Lauren Parnes or Attorney Jim Milstein or other counsel representing the defendant, and to provide an affidavit to the government, and to provide testimony at an evidentiary hearing in this matter should such a hearing be ordered by this Court. Signed by U.S. District Judge Glenn T Suddaby on 11/12/2024.(sal ) (Served Defendant by regular mail). (Entered: 11/12/2024)
11/12/2024	<u>87</u>	TEXT ORDER granting the Government's <u>84</u> letter motion requesting an extension of time to file a response to Defendant's <u>76</u> Motion to Vacate under 28 U.S.C. 2255. The Government's response to this motion is due to be filed on or before 12/6/2024. Any reply to this motion is due to be filed on or before 12/13/2024. SO ORDERED by U.S. District Judge Glenn T Suddaby on 11/12/2024. (Served Defendant by regular mail) (sal ) (Entered: 11/12/2024)
12/02/2024	<u>88</u>	TEXT ORDER granting <u>83</u> Defendant's motion to proceed in forma pauperis. Although the Court does not perceive the benefit of Defendant's acquiring such status at present (e.g., given that he has not requested, and demonstrated a need for, a free copy of his trial and sentencing transcripts in connection with his pending motion to vacate under 28 U.S.C. § 2255), the Court liberally construes his motion as having been filed in conjunction with his motion to appoint counsel. (See Dkt. No. <u>82</u> , at 2 [arguing that "Petitioner has been exhausted financially during the course of his detention and he doesn't have enough means to get a counsel in processing his Habeas action in court"].) Furthermore, the Court suspects that, should his motion to vacate under 28 U.S.C. § 2255 be denied, Defendant would file a direct criminal appeal. As a result, in the interest of expediency, the Court grants Defendant's motion (although, of course, the Court expresses no opinion on the merits of any such appeal). See <i>U.S. v. Kosic</i> , 944 F.3d 448, 448 (2d Cir. 2019) ("We now formally hold that IFP motions on direct criminal appeals are not subject to a merits determination under Section 1915. Cf. 18 U.S.C. § 3006A(d)(7). Such practice ensures that all financially eligible defendants—whether granted CJA counsel in district court or for the first time on appeal—are subject to the same standards."). SO ORDERED by U.S. District Judge Glenn T Suddaby on 12/2/2024.(Copy served upon Defendant via regular mail) (sal) (Entered: 12/02/2024)
12/02/2024	<u>89</u>	TEXT ORDER denying <u>82</u> Defendant's motion for the appointment of counsel with regard to his motion to vacate under 28 U.S.C. § 2255 for each of the following two alternative reasons. First, Defendants motion is not accompanied by documentation that substantiates his efforts to obtain counsel from the public and private sector.



		<p><i>Terminate Control Corp. v. Horowitz</i>, 28 F.3d 1335, 1341 (2d Cir. 1994); <i>Cooper v. Sargenti Co., Inc.</i>, 877 F.2d 170, 172, 174 (2d Cir. 1989). Second, in any event, it appears as though, to date, Defendant has been able to effectively litigate his motion to vacate. (Dkt. No. <u>76</u>.) Moreover, at this point, it appears that the motion to vacate does not present issues that are novel or more complex than those raised in most motions to vacate. As a result, the Court is unaware of any special reasons why appointment of counsel at this time would be more likely to lead to a just determination of Defendants motion to vacate. <i>Terminate Control Corp.</i>, 28 F.3d at 1341; <i>Hodge v. Police Officers</i>, 802 F.2d 53, 61 (2d Cir. 1986). SO ORDERED by U.S. District Judge Glenn T Suddaby on 12/2/2024. (Copy served upon Defendant via regular mail) (sal) (Entered: 12/02/2024)</p>
12/06/2024	<u>90</u>	<p>RESPONSE in Opposition to Defendant's <u>76</u> Motion to Vacate under 28 U.S.C. 2255 filed by USA. (Anderson, Troy) Modified on 12/9/2024 to reflect this is a response and not a letter-motion (sal ). (Entered: 12/06/2024)</p>

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